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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,169	12/27/2001	Gunther Peschke	742116-2	4460

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EXAMINER

NGUYEN, MICHELLE P

ART UNIT PAPER NUMBER

2851

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/026,169

Applicant(s)

PESCHKE ET AL.

Examiner

Michelle Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Europe on November 27, 2001. It is noted, however, that applicant has not filed a certified copy of the 01 128 148.2 application as required by 35 U.S.C. 119(b).

Specification

2. The disclosure is objected to because of the following informalities:
- (a) Reference: sign "1" has been used to designate two distinct projection lamps (see Para. 4, line 3, Para. 20, line 4).
 - (b) In Para. 17, line 2, "at the image plane at the image plane" should be --at the image plane--.
 - (c) In Para. 22, line 2, "envelopes of 6, 8" should be --envelopes 6, 8 of--.
- Appropriate correction is required.

Claim Objections

3. Claims 5-7, 11 and 12 are objected because of the following informalities:
- (a) In lines 2-3 of both claims 5 and 11, the phrase "the reflectors are each shortened on facing side facing thereof" is awkward. Applicant may wish to replace "facing side facing thereof" with --a mutually facing side--.
 - (b) In lines 1-2 of both claims 6 and 12, the phrase "the reflectors are shortened on facing sides thereof" is awkward. Applicant may wish to replace "facing sides thereof" with --mutually facing sides--.

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(c) In claim 7, line 1, "Projection lamp" should be --A projection lamp--.

Appropriate correction is required.

Drawings

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "1" has been used to designate both a projection lamp of applicant's admitted prior art and a projection lamp of applicant's invention, which is distinct from applicant's admitted prior art (see Figs. 1, 2).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in–

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

6. Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,431,727 to Sugawara et al.

With regard to claim 1, Sugawara et al. disclose a device for large screen projection, comprising:

a projection lamp (see Fig. 3B);
an image projection plane (see Figs. 3A, 3B); and
an objective lens (projection lens 10) (see Fig. 3A);
wherein the projection lamp contains two light sources (light-emitting tubes 1U, 1L) which are arranged relative to one another in a manner adapted to produce light envelopes (portions between optical axes AU and AA, and optical axes AL and AA, respectively) in the form of a partial cone of light (see Fig. 3B) from each of the light-emitting tubes 1U, 1L that is directed through the image projection plane and through the projection lens 10 (see Figs. 3A, 3B); and

wherein a main cone of light (portion between optical axes AU and AL) is formed from the light-emitting tubes 1U, 1L about a common envelope line (optical axis AA) of the two partial cones of light.

With regard to claim 2, Sugawara et al. teach the two partial cones of light as discussed above with respect to claim 1 to have optical axes arranged at an included angle of roughly 18 degrees (see Fig. 3B).

With regard to claims 3 and 4, Sugawara et al. teach the device as discussed above with respect to claims 1 and 2, respectively, to further comprise a reflector (parabolic mirrors 2U, 2L) associated with each of the two light-emitting tubes 1U, 1L, the parabolic mirrors 2U, 2L defining parabolic shapes which intersect at a junction line (see intersection between parabolic mirrors 2U, 2L and optical axis AA) of the parabolic mirrors 2U, 2L which extends in a plane containing the common envelope line (optical axis AA) of the partial cones of light (see Fig. 3B).

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With regard to claim 5, Sugawara et al. teach the edge areas of the parabolic mirrors 2U, 2L as discussed above with respect to claim 3 each to be shortened on a facing side thereof, the shortened edge areas being connected to one another (see Fig. 3B).

With regard to claim 6, Sugawara et al. teach the edge areas of the parabolic mirrors 2U, 2L as discussed above with respect to claim 1 to be shortened on facing sides thereof, the shortened edge areas being connected to one another (see Fig. 3B).

With regard to claim 7, Sugawara et al. disclose a projection lamp for a lamp housing (it is understood that the lamps are encased within a housing) of a large screen projector, comprising:

two light sources (light-emitting tubes 1U, 1L) which are arranged relative to one another in a manner adapted to produce light envelopes (portions between optical axes AU and AA, and optical axes AL and AA, respectively) in the form of a partial cone of light (see Fig. 3B) from each of the light-emitting tubes 1U, 1L (see Fig. 3B); and

wherein a main cone of light (portion between optical axes AU and AL) is formed from the light-emitting tubes 1U, 1L about a common envelope line (optical axis AA) of the two partial cones of light (see Fig. 3B).

With regard to claims 8-12, see discussions above with respect to claims 2-6, respectively.

Conclusion

7. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,902,030 to Blanchard

U.S. Patent No. 5,669,686 to Moon

U.S. Patent No. 5,649,753 to Masumoto

U.S. Patent No. 4,560,260 to Trumbull

U.S. Patent No. 4,477,160 to Trumbull

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michelle Nguyen whose telephone number is 703-305-2771. The examiner can normally be reached on M-F 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on 703-308-2847. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9318 for regular communications and 703-872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4900.

A handwritten signature in black ink, appearing to read 'DAVID M. GRAY', with a large, stylized flourish extending from the end.

mpn
January 17, 2003

**DAVID M. GRAY
PRIMARY EXAMINER**